

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-7 and 11-13 are pending in the present application. Claims 1 and 8-10 have been canceled without prejudice or disclaimer, Claims 2-7 have been amended, and Claims 11-13 have been added by the present amendment without introducing new matter.

In the outstanding Office Action, Claim 6 was rejected under 35 U.S.C. § 101; Claims 2-5, 7 and 9 were objected to; Claims 6, 8 and 10 were rejected under 35 U.S.C. § 112, second paragraph; Claim 1 was rejected under 35 U.S.C. § 103(a) as unpatentable over Gyu-Hwan (JP 2000-057700) in view of Tong et al. (U.S. Patent 6,684,361, herein “Tong”); and Claims 2-10 were rejected under 35 U.S.C. § 102(b) as anticipated by Tetsuya (EP 0 481 752 A1).

In response to the rejection of Claim 6 under 35 U.S.C. § 101, Claim 6 has been clarified to recite means-plus-function terminology to thereby recite statutory subject matter. Amended Claim 6 finds support in the originally filed specification, claims, and drawings. No new matter is added. Accordingly, it is respectfully requested this rejection be withdrawn. However, if the rejection under 35 U.S.C. § 101 is to be maintained, Applicant respectfully requests that the Examiner provide an explanation of the rejection in view of the guidelines of M.P.E.P. § 2106, which requires, “[W]henever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.”

Further, in response to the objections to Claims 2-5, 7 and 9, Claims 2-5 and 7 have been amended in light of the comments noted in the outstanding Office Action and for clarification. No new matter is added. Accordingly, it is respectfully requested the objections be withdrawn.

Furthermore, in response to the rejection of Claims 6, 8 and 10 under 35 U.S.C. § 112, second paragraph, Claim 6 has been clarified to recite means-plus-function terminology. No new matter is added. Accordingly, it is respectfully requested this rejection be withdrawn.

New Claims 11-13 are submitted herewith, and find support in the originally filed specification, claims, and drawings. No new matter is added.

The rejection of Claim 1 under 35 U.S.C. § 103(a) as unpatentable over Gyu-Hwan and Tong is rendered moot in view of canceling of Claim 1.

Claims 2-7 stand rejected under 35 U.S.C. § 102(b) as anticipated by Tetsuya. In light of the ground for rejection, Claims 2 and 6 have been amended, and find support at page 22, line 27, to page 23, line 27 of the specification, and in Figures 11 and 12, for example. No new matter is added. Applicant respectfully submits that the amendments to the claims have overcome the rejection for the following reason.

Briefly, amended Claims 2 and 6 are directed to data processing method and apparatus, respectively, in which, among other things, two matrix blocks are created, namely, first and second matrix blocks each consisting of an aggregation of K number of sectors. Also, two temporary matrix blocks are created by aggregating specified rows, for example, a first temporary matrix block of even-number rows and odd-number rows from the first and second matrix blocks, and a second temporary matrix block of odd-number rows and even-number rows from the first and second matrix blocks. With respect to the first and second temporary matrix blocks, a first error-correcting word PO-a $\{(K/2) \times Q\}$ bytes and a second error-correcting word PO-b $\{(K/2) \times Q\}$ bytes are created. According to the present invention recited in Claims 2 and 6, PO-a and PO-b are scattered and arranged into K information data blocks of the first and second matrix blocks, as shown in Figure 12, for example.

It is respectfully submitted that the reference of record does not disclose or suggest the data processing method or apparatus as recited in amended Claims 2 and 6.

Specifically, the outstanding Office Action asserts that Tetsuya "discloses the invention substantially as claimed ... (See abstract; Fig. 5; col. 1, lines 5-11, and lines 47-53; and col. 8, lines 17-22)." ¹ However, Applicant respectfully submits that Tetsuya, including the above indicated portion of Tetsuya, does not disclose or suggest the claimed structure of blocks used when creating the claimed error-correcting words PO-a and PO-b.

Therefore, it is respectfully submitted that independent Claims 2 and 6 and each of the claims depending therefrom are believed to be patentably distinguishable over the reference of record.

Further, Gyu-Hwan, Tong and Tetsuya are not believed to disclose or suggest the features recited in new Claims 11-13.

Accordingly, new Claims 11-13 are also believed to be patentably distinguishable over the references of record.

Consequently, in light of the above discussion, and in view of the present amendment, Applicant respectfully submits that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

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¹ Page 5, paragraph 7, of the Office Action.